

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**SEAN SIMPSON,**

Plaintiff,

**-vs-**

**Case No. 14-C-649**

**BROWN DEER POLICE DEPARTMENT,**

Defendant.

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**DECISION AND ORDER**

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Sean Simpson alleges that Brown Deer police officers unlawfully restrained his freedom of movement by giving him an oral “no-contact” notice with respect to a woman he is trying to befriend. As an initial matter, the Brown Deer Police Department is not a suable entity. *Driebel v. City of Milwaukee*, 298 F.3d 622 (7th Cir. 2002). Moreover, the right to intrastate travel (to the extent it exists) “does not allow one to travel anywhere and everywhere within Wisconsin at his or her pleasure.” *Hannemann v. So. Door Cnty. Sch. Dist.*, 673 F.3d 746, 756 (7th Cir. 2012) (explaining that the Seventh Circuit has “not yet decided whether there is a federal fundamental right to intrastate travel”); *Williams v. Town of Greenburgh*, 535 F.3d 71, 75 (2d Cir. 2008) (right to intrastate travel “protects *movement between places* and has no bearing on *access* to a particular place”) (emphasis added). Nor is there a fundamental, constitutional right to contact persons outside of the familial context. *Cf. Graham v. City of N.Y.*, 869 F. Supp. 2d 337, 349 (E.D.N.Y. 2012) (“Government

actions that restrict a parent's contact with his child implicate fundamental rights").

Even after liberally construing Simpson's *pro se* complaint, the Court is unable to discern any actionable claims for relief. 28 U.S.C. § 1915(e)(2). The Court is skeptical that Simpson is truly unable to pay the filing fee for this action, but it will grant the motion for leave to proceed *in forma pauperis* in light of Simpson's claim that he is saving money for tuition at the Milwaukee Area Technical College, such that Simpson is not stuck with paying the fee for this frivolous lawsuit. § 1915(a)(1).

**IT IS HEREBY ORDERED THAT** Simpson's motion for leave to proceed IFP [ECF No. 2] is **GRANTED**, but this matter is **DISMISSED**. The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 17th day of June, 2014.

**BY THE COURT:**

  
HON. RUDOLPH T. RANDA  
U.S. District Judge